

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ECF CASE
08 CV 5691 (PAC)

ALPHA OIL INTERNATIONAL (H.K.),

Plaintiff,

- against -

IN SUNG CORPORATION and SE JIN
REEFER CO.,

Defendants.

PLAINTIFF'S ATTORNEY'S DECLARATION
OF COMPLIANCE WITH LOCAL
ADMIRALTY RULE B.2

Defendant: In Sung Corporation

JOSEPH De MAY, JR. declares that the following statement is true under the penalty of perjury:

1. I am an attorney at law admitted to practice before this Court and a member of the firm of Cichanowicz Callan Keane Vengrow & Textor, LLP, attorneys for plaintiff in the above captioned matter. I make this declaration on personal knowledge to show plaintiff's compliance with Local Admiralty Rule B.2 requiring notice of maritime attachments.

2. Process of maritime attachment and garnishment issued in this action on July 23, 2008 directed against the property of defendant, IN SUNG CORPORATION, up to the amount of \$135,000.00.

3. The process and copies of the order granting the attachment, the verified complaint, and other papers were served on various garnishee banks.

4. Plaintiff has been advised by garnishee banks, J.P. Morgan Chase and Bank of New York Mellon, that funds totaling \$135,000.00 have been attached. *See, Exhibit C.*

5. On August 13, 2008, I gave notice of the attachment to defendant, INSUNG CORPORATION, by:

- (a) Telefax to it at 011-82-2-749-4949, that being its telefax number in Seoul, Korea as listed in a directory widely used in the maritime industry, Lloyd's Register List of Shipowners and Managers 2006 – 07. A transmission confirmation was received. *See, Exhibit A.*
- (b) Email to it at sk@insungnet.co.kr, that being an email address for it obtained from an internet search. The email was sent and, one hour afterwards, has not been returned. *See, Exhibit B.*

Both the telefax and the email include copies of the letters from the garnishee banks' counsel as well as copies of the write of attachment, the order of attachment, and the verified amended complaint.

Dated: New York, NY, August 13, 2008

/s/ Joseph De May, Jr.

JOSEPH De MAY, JR. [JD-9105]

PLAINTIFF'S EXHIBIT A

LAW OFFICES OF
CICHANOWICZ, CALLAN, KEANE, VENGROW & TEXTOR, LLP

61 BROADWAY, SUITE 3000
NEW YORK, N. Y. 10006-2802

PAUL M. KEANE
STEPHEN H. VENGROW¹
JAMES M. TEXTOR^{*}
JOSEPH F. DE MAY, JR.
RANDOLPH H. DONATELLI[#]
PATRICK MICHAEL DeCHARLES II[†]

JESSICA A. DE VIVO[°]
IRENE M. ZANETOS[°]

¹ALSO ADMITTED TO DISTRICT OF
COLUMBIA, MAINE & NEW JERSEY
^{*}ALSO ADMITTED TO PENNSYLVANIA
[#]ALSO ADMITTED TO GEORGIA
[°]ALSO ADMITTED TO NEW JERSEY & TEXAS
[†]ALSO ADMITTED TO NEW JERSEY

TELEPHONE: (212) 344-7042
TELEFAX: (212) 344-7285
TELEFAX: (212) 344-3988

NEW JERSEY OFFICE
75 MONTGOMERY STREET, SUITE 200
JERSEY CITY, NJ 07302
(201) 209-0960

A.J. MARINO
OF COUNSEL

BYRON KING CALLAN
(1914 - 1992)
VICTOR S. CICHANOWICZ
(1918 - 1989)

TELEFAX

Privileged & Confidential Communication

August 13, 2008

TO: In Sung Corporation
Insung Building
113-2 Hannam-dong, Yongsan-gu
Seoul, SOUTH KOREA
011-82-2-749-4949

RE: **NOTICE OF ATTACHMENT OF ASSETS**
Lawsuit in the United States District Court for the Southern District of New York
Alpha Oil International (H.K.) v. In Sung Corporation and SEIJIN REEFER CO., 08 CV 5691
Assigned to Judge Crotty
Our File: 9166/PMK

Dear Sirs:

We are the New York attorneys for plaintiff, Alpha Oil International (H.K.), in the above captioned matter which is a lawsuit brought to recover amounts due Alpha in respect of bunkers sold to In Sung Corporation.

We applied for and were granted by the Court a writ of attachment against the property of In Sung Corporation. The writ was served on various New York banks resulting in the attachment of In Sung funds amounting to U.S.\$135,000.00.

In compliance with the Court's rules, we are giving you notice of the attachment. For your ready reference, attached to this email in PDF format are true copies of the following pleadings and papers:

- (1) Letters from the Bank's attorneys confirming the attachment;
- (2) The verified complaint;
- (3) The order of attachment; and
- (4) The writ of attachment.

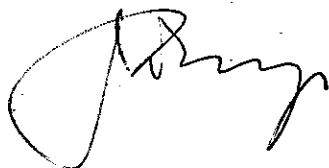
Please note that the Court rules entitle you to a prompt post-attachment hearing before the Court should you wish to challenge the attachment.

If you would like to arrange for suitable substitute security that would permit release of the attached funds, please contact the undersigned.

Best regards,

Joseph De May, Jr.
Cichanowicz Callan Keane Vengrow & Textor, LLP
61 Broadway, Suite 3000
New York, NY 10006
212-344-7042 (T)
212-344-7285 (F)

PRIVILEGED AND CONFIDENTIAL COMMUNICATION

A handwritten signature in black ink, appearing to read "J. De May", is written over the typed name and address.

TRANSMISSION REPORT

PAGE : 001
 TIME : AUG-13-08 02:31PM
 TEL NUMBER1:
 TEL NUMBER2:
 NAME :

NBR.	FILE NBR	DATE	TIME	DURATION	PGS	TO	DEPT NBR	ACCOUNT	MODE	STATUS
002	172	AUG-13	02:27PM	03/40	022	0118227494949			EC 602	OK

PLAINTIFF'S EXHIBIT B

Joseph De May, Jr.

From: Joseph De May, Jr.
Sent: Wednesday, August 13, 2008 2:38 PM
To: 'sk@insungnet.co.kr'
Subject: Alpha Oil International (H.K.) v. In Sung Corporation and SEIJIN REEFER CO., 08 CV 5691 (PAC) (S.D.N.Y.) - NOTICE OF ATTACHMENT

Attachments: Alpha_Oil_v_In_Sung_Corp-08_CV_5691-PAC-SDNY.pdf; _2497401 - 1_ - JPMorgan_8-4-08_LTR_J DeMay #744.pdf; _2500489 - 1_ - BankofNY_8-6-08_LTR_J DeMay #674.pdf; _2494877 - 1_ - JPMorgan_8-1-08_LTR_J DeMay #744.pdf



Alpha_Oil_v_In_Su_2497401 - 1_ - _2500489 - 1_ - _2494877 - 1_ -
ng_Corp-08_CV... JPMorgan_8-4-0... BankofNY_8-6-0... JPMorgan_8-1-0...

TO: In Sung Corporation
Insung Building
113-2 Hannam-dong, Yongsan-gu
Seoul, SOUTH KOREA

RE: NOTICE OF ATTACHMENT OF ASSETS
Lawsuit in the United States District Court for the Southern District of New York
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Assigned to Judge Crotty
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- (2) The verified complaint;
- (3) The order of attachment; and
- (4) The writ of attachment.

Please note that the Court rules entitle you to a prompt post-attachment hearing before the Court should you wish to challenge the attachment.

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Best regards,

Joseph De May, Jr.
Cichanowicz Callan Keane Vengrow & Textor, LLP
61 Broadway, Suite 3000
New York, NY 10006

212-344-7042 (T)

212-344-7285 (F)

PRIVILEGED AND CONFIDENTIAL COMMUNICATION

PLAINTIFF'S EXHIBIT C

RAWLE & HENDERSON LLP



CARL D. BUCHHOLZ, III
215-575-4235
CBUCHHOLZ@RAWLE.COM

THE NATION'S OLDEST LAW OFFICES
ESTABLISHED 1783

www.rawle.com

THE WIDENER BUILDING
ONE SOUTH PENN SQUARE
PHILADELPHIA, PA 19107

KEVIN L. MCGEE
215-575-4431
KMCGEE@RAWLE.COM

TELEPHONE: (215) 575-4200
FACSIMILE: (215) 563-2583

August 4, 2008

Via Email: jdemay@cckvt.com

Joseph De May, Jr., Esquire
Cichanowicz, Callan, Keane, Vengrow & Textor, LLP
61 Broadway, Suite 3000
New York, New York 10006

Re: Alpha Oil International (H.K.) v. In Sung Corporation and Se Jin Reefer Co.
Docket No.: SDNY 08-5691
Our File No.: 444,218-744

Dear Mr. De May:

Pursuant to a writ of maritime attachment served by you on JPMorgan Chase on behalf of Alpha Oil International (H.K.), funds in the amounts of \$65,867.00, being wire transferred through the Bank from In Sung Corporation, were restrained on August 4, 2008.

Pursuant to Local Admiralty Rule B.2 of the Local Rules of Civil Procedure of the United States District Court for the Southern District of New York, please notify defendant of the restraint of these funds and provide the undersigned with confirmation of the notification.

If you have any additional questions regarding the restrained funds, please give me a call.

Very truly yours,

RAWLE & HENDERSON LLP

By:

Carl D. Buchholz, III
Kevin L. McGee

CDB/KLM/sam

cc: Teresa Goldberg, Esquire – **Via Email:** teresa.j.goldberg@chase.com
Mr. Norberto B. Bonga – **Via Email:** Norberto.B.Bonga@jpmchase.com
Ms. Johnette Reid – **Via Email:** Johnette.Reid@jpmchase.com

RAWLE & HENDERSON LLP



CARL D. BUCHHOLZ, III
215-575-4235
CBUCHHOLZ@RAWLE.COM

KEVIN L. MCGEE
215-575-4431
KMCGEE@RAWLE.COM

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PHILADELPHIA, PA 19107

TELEPHONE: (215) 575-4200
FACSIMILE: (215) 563-2583

August 6, 2008

Via Email: jdemay@cckvt.com

Joseph De May, Jr., Esquire
Cichanowicz, Callan, Keane, Vengrow & Textor, LLP
61 Broadway, Suite 3000
New York, New York 10006-2802

Re: Alpha Oil International (H.K.) v. In Sung Corporation and Se Jin Reefer Co.
Docket No.: 08-CIV-5691
Our File No.: 442,183-674

Dear Mr. DeMay:

Pursuant to a writ of maritime attachment served by you on Bank of New York Mellon on behalf of Alpha Oil International (H.K.), funds in the amount of \$228,005.70, being wire transferred through the Bank from In Sung Corporation, were restrained on August 5, 2008.

Pursuant to your instructions, The Bank of New York Mellon will continue to restrain \$52,130.45 as required by the writ of maritime attachment. The remaining funds will be released pursuant to the original wire instructions.

Pursuant to Local Admiralty Rule B.2 of the Local Rules of Civil Procedure of the United States District Court for the Southern District of New York, please notify defendant of the restraint of these funds and provide the undersigned with confirmation of the notification.

If you have any additional questions regarding the restrained funds, please give me call.

Very truly yours,

RAWLE & HENDERSON LLP

A handwritten signature in black ink, appearing to read "Carl D. Buchholz, III".

By:

Carl D. Buchholz, III
Kevin L. McGee

CDB/KLM/sam

cc: Robyn Monaco – Email: robyn.monaco@bnymellon.com
Alicia Lardy – Email: alicia.lardy@bnymellon.com
Erin Schembri – Email: erin.schembri@bnymellon.com

RAWLE & HENDERSON LLP



CARL D. BUCHHOLZ, III
215-575-4235
CBUCHHOLZ@RAWLE.COM

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ESTABLISHED 1783

www.rawle.com

THE WIDENER BUILDING
ONE SOUTH PENN SQUARE
PHILADELPHIA, PA 19107

TELEPHONE: (215) 575-4200
FACSIMILE: (215) 563-2583

LILIAN V. PHILIPOSIAN
215-575-4237
LPHILIPOSIAN@RAWLE.COM

August 1, 2008

Via Email: jdemay@cckvt.com

Joseph De May, Jr., Esquire
Cichanowicz, Callan, Keane, Vengrow & Textor, LLP
61 Broadway, Suite 3000
New York, New York 10006

Re: Alpha Oil International (H.K.) v. In Sung Corporation and Se Jin Reefer Co.
Docket No.: SDNY 08-5691
Our File No.: 444,218-744

Dear Mr. De May:

Pursuant to a writ of maritime attachment served by you on JPMorgan Chase on behalf of Alpha Oil International (H.K.), funds in the amounts of \$3,277.00, \$1,257.00, \$6,676.36, \$1,877.00, \$1,930.45 and \$1,984.74, totaling \$17,002.55, being wire transferred through the Bank from In Sung Corporation, were restrained on July 31, 2008.

Pursuant to Local Admiralty Rule B.2 of the Local Rules of Civil Procedure of the United States District Court for the Southern District of New York, please notify defendant of the restraint of these funds and provide the undersigned with confirmation of the notification.

If you have any additional questions regarding the restrained funds, please give me a call.

Very truly yours,

RAWLE & HENDERSON LLP

By:

Carl D. Buchholz, III
Lilian V. Philiposian

CDB/LVP/sam

cc: Teresa Goldberg, Esquire – **Via Email:** teresa.j.goldberg@chase.com
Mr. Norberto B. Bonga – **Via Email:** Norberto.B.Bonga@jpmchase.com
Ms. Johnette Reid – **Via Email:** Johnette.Reid@jpmchase.com